

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
No. 18-CVS-014001

COMMON CAUSE, et al.,

Plaintiffs,

v.

Representative David R. LEWIS, in
his official capacity as Senior Chairman of the
House Select Committee on Redistricting, et
al.,

Defendants.

**MOTION FOR ADMISSION OF
COUNSEL TO APPEAR
*PRO HAC VICE***

Pursuant to N.C. Gen. Stat. § 84-4.1, Movant Phillip J. Strach moves for the admission *pro hac vice* of Trevor M. Stanley, Richard B. Raile, and E. Mark Braden of the law firm Baker & Hostetler, LLP (the “Applicants”) to appear on behalf of the State of North Carolina and Speaker of the North Carolina House of Representatives Timothy Moore, in his official capacity, President Pro Tempore of the North Carolina Senate Philip E. Berger, in his official capacity, Senator Ralph E. Hise, Jr., in his official capacity, and Representative David R. Lewis, in his official capacity (the “Legislative Defendants”) in the above-captioned matter. In support of this motion, Movant respectfully shows the court:

1. The Statements of Applicants, attached as Exhibits A through C respectively, setting forth their qualifications to appear in this cause pursuant to N.C. Gen. Stat. § 88-4.1.
2. Mr. Stanley, Mr. Raile, and Mr. Braden and the law firm of Baker & Hostetler, LLP are counsel of choice for the Legislative Defendants. A statement attesting to the retention

of these applicants and the law firm of Baker & Hostetler, LLP, is attached to this motion as Exhibit D.

3. Pursuant to N.C. Gen. Stat. § 88-4.1(5), as local counsel in this matter and a resident of North Carolina, Phillip J. Strach agrees to be responsible for filing the required registration statement for Applicants with the North Carolina State Bar. Additionally, a required fee pursuant to N.C. Gen. Stat. § 88-4.1 is being forwarded simultaneously to the Clerk of Wake County in the total amount of \$675.00 (\$225 per applicant) for the *pro hac vice* admission of the Applicants.

WHEREFORE, for the reasons set forth herein, Movant respectfully requests the Court to grant this request for admission *pro hac vice* of Trevor M. Stanley, Richard B. Raile, and E. Mark Braden of the law firm Baker & Hostetler, LLP so that they may represent the interests of the Legislative Defendants in this matter.

DATED this 22nd day of January, 2019

**OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.**

By: 

Phillip J. Strach
N.C. State Bar No. 29456
phil.strach@ogletreedeakins.com
4208 Six Forks Road, Suite 1100
Raleigh, North Carolina 27609
Telephone: (919) 787-9700
Facsimile: (919) 783-9412

Counsel for the Legislative Defendants

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Application of E. Mark Braden to Appear *Pro Hac Vice* has been served upon all parties to this matter by U.S. mail and electronic mail addressed as follows:

Edwin M. Speas, Jr.
N.C. State Bar No. 4112
Caroline P. Mackie
N.C. State Bar No. 41512
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*Counsel for Common Cause,
the North Carolina Democratic
Party, and the Individual Plaintiffs*

R. Stanton Jones
David P. Gersch
Elisabeth S. Theodore
Daniel F. Jacobson
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and the Individual Plaintiffs*

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Amar Majmundar
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*Counsel for the State of North Carolina, the State Board of
Elections and Ethics Enforcement, and the State Board of
Elections and Ethics Enforcement members*

Marc E. Elias
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*Counsel for Common Cause
and the Individual Plaintiffs*

This the 22nd day of January, 2019.

By: 
Phillip J. Strach
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Counsel for the Legislative Defendants

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
No. 18-CVS-014001

COMMON CAUSE, et al.,

Plaintiffs,

v.

Representative David R. LEWIS, in
his official capacity as Senior Chairman of the
House Select Committee on Redistricting, et
al.,

Defendants.

**ORDER GRANTING
MOTION FOR ADMISSION OF
COUNSEL TO APPEAR
*PRO HAC VICE***

This cause coming on to be heard before the undersigned on the motion of Phillip J. Strach, an attorney duly admitted to the Bar of the State of North Carolina, for the admission pro hac vice of Trevor M. Stanley, Richard B. Raile, and E. Mark Braden of the law firm Baker & Hostetler, LLP, as counsel for the State of North Carolina and Speaker of the North Carolina House of Representatives Timothy Moore, in his official capacity, President Pro Tempore of the North Carolina Senate Philip E. Berger, in his official capacity, Senator Ralph E. Hise, Jr., in his official capacity, and Representative David R. Lewis, in his official capacity (the "Legislative Defendants") in connection with this case.

IT IS THEREFORE ORDERED that Trevor M. Stanley, Richard B. Raile, and E. Mark Braden of the law firm Baker & Hostetler, LLP, are allowed to practice in the General Court of Justice of North Carolina and appear on behalf of the State of North Carolina and the Legislative Defendants in the above captioned proceeding.

This ____ day of _____, 2019.

Superior Court Judge Presiding

EXHIBIT A

STATE OF NORTH CAROLINA

COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

No. 18-CVS-014001

COMMON CAUSE; NORTH CAROLINA
DEMOCRATIC PARTY; PAULA ANN
CHAPMAN; HOWARD DUBOSE JR;
GEORGE DAVID GAUCK; JAMES
MACKIN NESBIT; DWIGHT JORDAN;
JOSEPH THOMAS GATES; MARK S.
PETERS; PAMELA MORTON; VIRGINIA
WALTERS BRIEN; JOHN MARK
TURNER; LEON CHARLESSCHALLER;
REBECCA HARPER; LESLEY BROOK
WISCHMANN; DAVID DWIGHT
BROWN; AMY CLARE OSEROFF;
KRISTIN PARKER JACKSON; JOHN
BALLA; REBECCA JOHNSON; AARON
WOLFF; MARY ANN PEDEN-COVIELLO;
KAREN SUE HOLBROOK; KATHLEEN
BARNES; ANN MCCrackEN; JACKSON
THOMAS DUNN, JR.; ALYCE MACHAK;
WILLIAM SERVICE; DONALD RUMPH;
STEPHEN DOUGLAS MCGRIGOR;
NANCY BRADLEY; VINOD THOMAS;
DERICK MILLER; ELECTA E. PERSON;
DEBORAH ANDERSON SMITH;
ROSALYN SLOAN; JULIE ANN FREY;
LILY NICOLE QUICK; JOSHUA BROWN;
CARLTON E. CAMPBELL SR.,

Plaintiffs,

v.

REPRESENTATIVE DAVID R. LEWIS, in
his official capacity as Senior Chairman of the
House Select Committee on Redistricting;
SENATOR RALPH E. HISE, JR., in his
official capacity as Chairman of the Senate
Committee on Redistricting; SPEAKER OF
THE NORTH CAROLINA HOUSE OF
REPRESENTATIVES TIMOTHY K.
MOORE; PRESIDENT PRO TEMPORE OF

**APPLICATION OF
TREVOR M. STANLEY
TO APPEAR *PRO HAC VICE***

THE NORTH CAROLINA SENATE PHILIP E. BERGER; THE STATE OF NORTH CAROLINA; THE NORTH CAROLINA STATE BOARD OF ELECTION AND ETHICS ENFORCEMENT; JOSHUA MALCOLM, Chairman of the North Carolina State Board of Elections & Ethics Enforcement; KEN RAYMOND, Secretary of the North Carolina State Board Of Elections & Ethics Enforcement; STELLA ANDERSON, Member of the North Carolina State Board of Elections & Ethics Enforcement; DAMON CIRCOSTA, Member of the North Carolina State Board of Elections & Ethics Enforcement; STACY "FOUR" EGGERS IV, Member Of The North Carolina State Board of Elections & Ethics Enforcement; JAY HEMPHILL, Member of the North Carolina State Board of Elections & Ethics Enforcement; VALERIE JOHNSON, Member of the North Carolina State Board of Elections & Ethics Enforcement; JOHN LEWIS, Member of the North Carolina State Board of Elections & Ethics Enforcement; ROBERT CORDLE, Member of the North Carolina State Board of Elections & Ethics Enforcement,

Defendants.

Trevor M. Stanley ("Petitioner") respectfully provides this Court, pursuant to N.C. Gen. Stat. § 84-4.1, this application for admission *pro hac vice* so that he may represent the State of North Carolina and Speaker of the North Carolina House of Representatives Timothy Moore, in his official capacity, President Pro Tempore of the North Carolina Senate Philip E. Berger, in his official capacity, Senator Ralph E. Hise, Jr., in his official capacity, and Representative David R. Lewis, in his official capacity (the "Legislative Defendants") in the above-captioned matter. In support of this application, Petitioner certifies that:

1. I am a practicing attorney with the law firm of Baker & Hostetler, LLP, 1050 Connecticut Ave., Suite 1100, Washington D.C. 20036. I was admitted to the District of Columbia Bar on May 7, 2010, and I am an active member in good standing of the District of Columbia Bar.

2. The Legislative Defendants have retained me to represent them in this action. Attached hereto is a signed statement from them reflecting the same pursuant to N.C. Gen. Stat. § 84-4.1(2).

3. Unless permitted to withdraw sooner by order of this Court, I will continue to represent the Legislative Defendants in this proceeding until its final determination, and with reference to all matters incident to this proceeding, agree to be subject to the orders and amenable to the disciplinary action and civil jurisdiction of the General Court of Justice and the North Carolina State Bar in all respects as if I were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

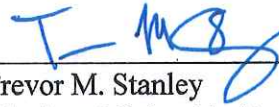
4. I am admitted to practice in the District of Columbia, a jurisdiction which grants similar out-of-state *pro hac vice* privileges to members of the Bar of North Carolina who are in good standing.

5. The Petitioner has associated with and is personally appearing in the proceeding with Phillip J. Strach (N.C. State Bar No. 29456) of the law firm Ogletree, Deakins, Nash, Smoak & Stewart, P.C., who is a resident of this State and duly and legally admitted to practice in the General Court of Justice of North Carolina. Mr. Strach has agreed to receive service on my behalf in all matters connected with these legal proceedings and in any disciplinary matter connected to these proceedings. Such service on Mr. Strach would have the same effect as if it were personally made upon me in North Carolina.

6. I am an attorney in good standing with the District of Columbia Bar and have not been subject to any public discipline by any Court or lawyer regulatory organization and any previous *pro hac vice* admission has not been revoked.

Respectfully submitted, this 12 day of January, 2019.

BAKER & HOSTETLER, LLP



Trevor M. Stanley
District of Columbia Bar No. 77351
Baker & Hostetler, LLP
1050 Connecticut Ave., Suite 1100
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Phone 202-861-1500
Fax 202-861-1783

Counsel for the Legislative Defendants

EXHIBIT B

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
No. 18-CVS-014001

COMMON CAUSE; NORTH CAROLINA
DEMOCRATIC PARTY; PAULA ANN
CHAPMAN; HOWARD DUBOSE JR;
GEORGE DAVID GAUCK; JAMES
MACKIN NESBIT; DWIGHT JORDAN;
JOSEPH THOMAS GATES; MARK S.
PETERS; PAMELA MORTON; VIRGINIA
WALTERS BRIEN; JOHN MARK
TURNER; LEON CHARLESSCHALLER;
REBECCA HARPER; LESLEY BROOK
WISCHMANN; DAVID DWIGHT
BROWN; AMY CLARE OSEROFF;
KRISTIN PARKER JACKSON; JOHN
BALLA; REBECCA JOHNSON; AARON
WOLFF; MARY ANN PEDEN-COVIELLO;
KAREN SUE HOLBROOK; KATHLEEN
BARNES; ANN MCCRACKEN; JACKSON
THOMAS DUNN, JR.; ALYCE MACHAK;
WILLIAM SERVICE; DONALD RUMPH;
STEPHEN DOUGLAS MCGRIGOR;
NANCY BRADLEY; VINOD THOMAS;
DERICK MILLER; ELECTA E. PERSON;
DEBORAH ANDERSON SMITH;
ROSALYN SLOAN; JULIE ANN FREY;
LILY NICOLE QUICK; JOSHUA BROWN;
CARLTON E. CAMPBELL SR.,

Plaintiffs,

v.

REPRESENTATIVE DAVID R. LEWIS, in
his official capacity as Senior Chairman of the
House Select Committee on Redistricting;
SENATOR RALPH E. HISE, JR., in his
official capacity as Chairman of the Senate
Committee on Redistricting; SPEAKER OF
THE NORTH CAROLINA HOUSE OF
REPRESENTATIVES TIMOTHY K.
MOORE; PRESIDENT PRO TEMPORE OF

**APPLICATION OF RICHARD B. RAILE
TO APPEAR *PRO HAC VICE***

THE NORTH CAROLINA SENATE PHILIP E. BERGER; THE STATE OF NORTH CAROLINA; THE NORTH CAROLINA STATE BOARD OF ELECTION AND ETHICS ENFORCEMENT; JOSHUA MALCOLM, Chairman of the North Carolina State Board of Elections & Ethics Enforcement; KEN RAYMOND, Secretary of the North Carolina State Board Of Elections & Ethics Enforcement; STELLA ANDERSON, Member of the North Carolina State Board of Elections & Ethics Enforcement; DAMON CIRCOSTA, Member of the North Carolina State Board of Elections & Ethics Enforcement; STACY "FOUR" EGGERS IV, Member Of The North Carolina State Board of Elections & Ethics Enforcement; JAY HEMPHILL, Member of the North Carolina State Board of Elections & Ethics Enforcement; VALERIE JOHNSON, Member of the North Carolina State Board of Elections & Ethics Enforcement; JOHN LEWIS, Member of the North Carolina State Board of Elections & Ethics Enforcement; ROBERT CORDLE, Member of the North Carolina State Board of Elections & Ethics Enforcement,

Defendants.

Richard B. Raile ("Petitioner") respectfully provides this Court, pursuant to N.C. Gen. Stat. § 84-4.1, this application for admission *pro hac vice* so that he may represent the State of North Carolina and Speaker of the North Carolina House of Representatives Timothy Moore, in his official capacity, President Pro Tempore of the North Carolina Senate Philip E. Berger, in his official capacity, Senator Ralph E. Hise, Jr., in his official capacity, and Representative David R. Lewis, in his official capacity (the "Legislative Defendants") in the above-captioned matter. In support of this application, Petitioner certifies that:

1. I am a practicing attorney with the law firm of Baker & Hostetler, LLP, 1050 Connecticut Ave., Suite 1100, Washington D.C. 20036. I was admitted to the District of Columbia Bar on August 5, 2013, and I am an active member in good standing of the District of Columbia Bar.

2. The Legislative Defendants have retained me to represent them in this action. Attached hereto is a signed statement from them reflecting the same pursuant to N.C. Gen. Stat. § 84-4.1 (2).

3. Unless permitted to withdraw sooner by order of this Court, I will continue to represent the Legislative Defendants in this proceeding until its final determination, and with reference to all matters incident to this proceeding, agree to be subject to the orders and amenable to the disciplinary action and civil jurisdiction of the General Court of Justice and the North Carolina State Bar in all respects as if I were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

4. I am admitted to practice in the District of Columbia, a jurisdiction which grants similar out-of-state *pro hac vice* privileges to members of the Bar of North Carolina who are in good standing.

5. The Petitioner has associated with and is personally appearing in the proceeding with Phillip J. Strach (N.C. State Bar No. 29456) of the law firm Ogletree, Deakins, Nash, Smoak & Stewart, P.C., who is a resident of this State and duly and legally admitted to practice in the General Court of Justice of North Carolina. Mr. Strach has agreed to receive service on my behalf in all matters connected with these legal proceedings and in any disciplinary matter connected to these proceedings. Such service on Mr. Strach would have the same effect as if it were personally made upon me in North Carolina.

6. I am an attorney in good standing with the District of Columbia Bar and have not been subject to any public discipline by any Court or lawyer regulatory organization and any previous *pro hac vice* admission has not been revoked.

Respectfully submitted, this 22 day of January, 2019.

BAKER & HOSTETLER, LLP

Richard Raile

Richard B. Raile
District of Columbia Bar No. 1015689
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Phone 202-861-1500
Fax 202-861-1783

Counsel for the Legislative Defendants

EXHIBIT C

STATE OF NORTH CAROLINA

COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

No. 18-CVS-014001

COMMON CAUSE; NORTH CAROLINA
DEMOCRATIC PARTY; PAULA ANN
CHAPMAN; HOWARD DUBOSE JR;
GEORGE DAVID GAUCK; JAMES
MACKIN NESBIT; DWIGHT JORDAN;
JOSEPH THOMAS GATES; MARK S.
PETERS; PAMELA MORTON; VIRGINIA
WALTERS BRIEN; JOHN MARK
TURNER; LEON CHARLESSCHALLER;
REBECCA HARPER; LESLEY BROOK
WISCHMANN; DAVID DWIGHT
BROWN; AMY CLARE OSEROFF;
KRISTIN PARKER JACKSON; JOHN
BALLA; REBECCA JOHNSON; AARON
WOLFF; MARY ANN PEDEN-COVIELLO;
KAREN SUE HOLBROOK; KATHLEEN
BARNES; ANN MCCrackEN; JACKSON
THOMAS DUNN, JR.; ALYCE MACHAK;
WILLIAM SERVICE; DONALD RUMPH;
STEPHEN DOUGLAS MCGRIGOR;
NANCY BRADLEY; VINOD THOMAS;
DERICK MILLER; ELECTA E. PERSON;
DEBORAH ANDERSON SMITH;
ROSALYN SLOAN; JULIE ANN FREY;
LILY NICOLE QUICK; JOSHUA BROWN;
CARLTON E. CAMPBELL SR.,

Plaintiffs,

v.

REPRESENTATIVE DAVID R. LEWIS, in
his official capacity as Senior Chairman of the
House Select Committee on Redistricting;
SENATOR RALPH E. HISE, JR., in his
official capacity as Chairman of the Senate
Committee on Redistricting; SPEAKER OF
THE NORTH CAROLINA HOUSE OF
REPRESENTATIVES TIMOTHY K.
MOORE; PRESIDENT PRO TEMPORE OF

**APPLICATION OF E. MARK BRADEN
TO APPEAR *PRO HAC VICE***

THE NORTH CAROLINA SENATE PHILIP E. BERGER; THE STATE OF NORTH CAROLINA; THE NORTH CAROLINA STATE BOARD OF ELECTION AND ETHICS ENFORCEMENT; JOSHUA MALCOLM, Chairman of the North Carolina State Board of Elections & Ethics Enforcement; KEN RAYMOND, Secretary of the North Carolina State Board Of Elections & Ethics Enforcement; STELLA ANDERSON, Member of the North Carolina State Board of Elections & Ethics Enforcement; DAMON CIRCOSTA, Member of the North Carolina State Board of Elections & Ethics Enforcement; STACY "FOUR" EGGERS IV, Member Of The North Carolina State Board of Elections & Ethics Enforcement; JAY HEMPHILL, Member of the North Carolina State Board of Elections & Ethics Enforcement; VALERIE JOHNSON, Member of the North Carolina State Board of Elections & Ethics Enforcement; JOHN LEWIS, Member of the North Carolina State Board of Elections & Ethics Enforcement; ROBERT CORDLE, Member of the North Carolina State Board of Elections & Ethics Enforcement,

Defendants.

E. Mark Braden ("Petitioner") respectfully provides this Court, pursuant to N.C. Gen. Stat. § 84-4.1, this application for admission *pro hac vice* so that he may represent the State of North Carolina and Speaker of the North Carolina House of Representatives Timothy Moore, in his official capacity, President Pro Tempore of the North Carolina Senate Philip E. Berger, in his official capacity, Senator Ralph E. Hise, Jr., in his official capacity, and Representative David R. Lewis, in his official capacity (the "Legislative Defendants") in the above-captioned matter. In support of this application, Petitioner certifies that:

1. I am a practicing attorney with the law firm of Baker & Hostetler, LLP, 1050 Connecticut Ave., Suite 1100, Washington D.C. 20036. I was admitted to District of Columbia Bar on August 21, 1989, and I am an active member in good standing of the District of Columbia Bar.

2. The Legislative Defendants have retained me to represent them in this action. Attached hereto is a signed statement from them reflecting the same pursuant to N.C. Gen. Stat. § 84-4.1(2).

3. Unless permitted to withdraw sooner by order of this Court, I will continue to represent the Legislative Defendants in this proceeding until its final determination, and with reference to all matters incident to this proceeding, agree to be subject to the orders and amenable to the disciplinary action and civil jurisdiction of the General Court of Justice and the North Carolina State Bar in all respects as if I were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

4. I am admitted to practice in the District of Columbia, a jurisdiction which grants similar out-of-state *pro hac vice* privileges to members of the Bar of North Carolina who are in good standing.

5. The Petitioner has associated with and is personally appearing in the proceeding with Phillip J. Strach (N.C. State Bar No. 29456) of the law firm Ogletree, Deakins, Nash, Smoak & Stewart, P.C., who is a resident of this State and duly and legally admitted to practice in the General Court of Justice of North Carolina. Mr. Strach has agreed to receive service on my behalf in all matters connected with these legal proceedings and in any disciplinary matter connected to these proceedings. Such service on Mr. Strach would have the same effect as if it were personally made upon me in North Carolina.

6. I am an attorney in good standing with the District of Columbia Bar and have not been subject to any public discipline by any Court or lawyer regulatory organization and any previous *pro hac vice* admission has not been revoked.

Respectfully submitted, this 22 day of January, 2019.

BAKER & HOSTETLER, LLP



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Washington, D.C. Bar No. 419915
Baker & Hostetler, LLP
1050 Connecticut Ave., Suite 1100
Washington, D.C. 20036
Phone 202-861-1500
Fax 202-861-1783

Counsel for the Legislative Defendants

EXHIBIT D

January 22, 2019

Kellie Z. Myers
Trial Court Administrator
10th Judicial District
North Carolina Judicial Branch
PO Box 1916, Raleigh, NC 27602
919-792-4780
Kellie.z.myers@nccourts.org

Re: Representation in *Common Cause et al. v. Representative David R. Lewis, in his official capacity as Senior Chairman of the House Select Committee on Redistricting, et al.*, 18-CVS-014001

Dear Ms. Myers,

We, the Legislative Defendants—Senator Philip E. Berger, in his official capacity, Senator Ralph E. Hise, Jr., in his official capacity, Representative David R. Lewis, in his official capacity, and Representative Timothy Moore, in his official capacity—and the State of North Carolina have retained Trevor M. Stanley, E. Mark Braden, and Richard B. Raile of Baker & Hostetler, LLP, to represent us in the proceeding entitled in the above-referenced matter.


Our legal address for these purposes:

North Carolina General Assembly
Legislative Building
16 West Jones Street
Raleigh, NC 27601


With attention line: Senator Philip E. Berger (Rm. 2007 LB); Senator Ralph E. Hise, Jr. (Rm. 300-A LOB); Representative Timothy Moore (Rm. 2304 LB); or Representative David R. Lewis (Rm. 2301 LB).

Please do not hesitate to contact the aforementioned individuals (Trevor M. Stanley, E. Mark Braden, and Richard B. Raile) at (202) 861-1500 or Phillip J. Strach at (919) 787-9700 if you have any questions.

Very truly yours,



Brian Fork, General Counsel to the President Pro Tempore
of the North Carolina Senate,
on behalf of Defendants Berger and Hise



Neal Inman, General Counsel to the Speaker
of the North Carolina House of Representatives,
on behalf of Defendants Moore and Lewis